



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
WASHINGTON, D.C. 20555-0001

February 23, 2023

Todd S. Carpenter, Program Manager  
Oregon Health Authority  
Radiation Protection Services  
800 NE Oregon St  
Suite 640  
Portland, OR 97232

Dear Todd Carpenter:

We have reviewed the final revisions to the Oregon regulations in Chapter 333, Division 116, received by our office on January 31, 2023. These regulations were reviewed by comparison to the equivalent U.S. Nuclear Regulatory Commission (NRC) rules and the requirements of Regulation Amendment Tracking System Identification Numbers (RATS IDs) 2018-3, 2019-1, 2019-2, 2020-1, 2020-2, and 2020-3 as identified in the enclosed State Regulation Status (SRS) Data Sheet. We discussed our review of the regulations with you on February 13, 2023.

As a result of our review, we have no comments. Please note that we have limited our review to regulations required for compatibility and/or health and safety. We have determined that the regulations, as adopted, meet the compatibility and health and safety categories established in the Office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-200, "Compatibility Categories and Health and Safety Identification for NRC Regulations and Other Program Elements."

The SRS Data Sheet summarizes our knowledge of the status of other Oregon regulations, as indicated. Please let us know if you note any inaccuracies or have any comments on the information contained in the SRS Data Sheet. This letter, including the SRS Data Sheet, is posted on the NMSS State Communication Portal: <https://scp.nrc.gov/rulemaking.html>.

If you have any questions regarding the comments, the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact Michelle Beardsley, State Regulation Review Coordinator, at 301-415-0275 ([michelle.beardsley@nrc.gov](mailto:michelle.beardsley@nrc.gov)).

Sincerely,



Signed by Cecere, Bethany  
on 02/23/23

Bethany K. Cecere, Acting Chief  
State Agreement and Liaison Programs Branch  
Division of Materials Safety, Security, State,  
and Tribal Programs  
Office of Nuclear Material Safety  
and Safeguards

Enclosure:  
Oregon SRS Data Sheet

SUBJECT: OREGON FINAL REGULATIONS TO RATS IDS 2018-3, 2019-1, 2019-2, 2020-1, 2020-2, AND 2020-3 DATE February 23, 2023

DISTRIBUTION: SP 08

DIR RF (23-17)

Jackie Cook, RSAO

Oregon File

ADAMS Accession No. ML23034A095 pkg and ML23052A186 letter

OFFICE	NMSS/MSST	OGC	NMSS/MSST
NAME	MBeardsley	NA	BCecere
DATE	02/22/2023		02/23/2023

**OFFICIAL RECORD COPY**

**STATE REGULATION STATUS**

State: Oregon

Tracking Ticket Number: 23-17

Date: February 23, 2023

[amendment(s) reviewed identified by a \* at the beginning of the equivalent NRC requirement.]

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
1991-1	Safety Requirements for Radiographic Equipment Part 34 55 FR 843 <b>(Superseded by 1997-5)</b>	01/10/1994	Final ML023450397	No Comments 01/23/2003 ML030240463	Oregon has adopted Final Regulations equivalent to RATS ID: 1997-5.
1991-2	ASNT Certification of Radiographers Part 34 56 FR 11504 <b>(Superseded by 1997-5)</b>	none	Not Required	Not Required	Oregon has adopted Final Regulations equivalent to RATS ID: 1997-5.
1991-3	Standards for Protection Against Radiation Part 20 56 FR 23360; 56 FR 61352; 57 FR 38588; 57 FR 57877; 58 FR 67657; 59 FR 41641; 60 FR 20183	01/01/1994	Final	No Comments 11/13/1997	
1991-4	Notification of Incidents Parts 20, 30, 31, 34, 39, 40 and 70 56 FR 64980	10/15/1994	Final ML023450397	No Comments 01/23/03 ML030240463	
1992-1	Quality Management Program and Misadministrations Part 35 56 FR 34104 <b>(Superseded by 2002-2)</b>	01/27/1995	Final ML023450397	No Comments 01/23/2003 ML030240463	Oregon has adopted Final Regulations equivalent to RATS ID: 2002-2.
1992-2	Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions Parts 30 and 35 57 FR 45566	none	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility.

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1993-1	Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites] Parts 30 and 40 58 FR 39628	10/25/1996	Final ML023450397	No Comments 01/23/2003 ML030240463	
1993-2	Licensing and Radiation Safety Requirements for Irradiators Part 36 58 FR 7715	07/01/1996	Final ML023450397	No Comments 01/23/2003 ML030240463	
1993-3	Definition of Land Disposal and Waste Site QA Program Part 61 58 FR 33886	07/22/1996	Final ML100600750	No Comments 04/15/2010 ML100850065	
1994-1	Self-Guarantee as an Additional Financial Mechanism Parts 30, 40 and 70 58 FR 68726; 59 FR 1618	none	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility.
1994-2	Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards Part 40 59 FR 28220	07/01/1997	Not Applicable	Not Applicable	Oregon does not have authority to regulate this material under its Agreement.
1994-3	Timeliness in Decommissioning Material Facilities Parts 30, 40 and 70 59 FR 36026	08/15/1997	Final ML023450397	No Comments 01/23/2003 ML030240463	
1995-1	Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use Parts 30, 32 and 35 59 FR 61767; 59 FR 65243; 60 FR 322	01/01/1998	Final ML023450397	No Comments 01/23/2003 ML030240463	

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1995-2	Frequency of Medical Examinations for Use of Respiratory Protection Equipment Part 20 60 FR 7900	03/13/1998	Final ML17234A352  Revised Final ML18236A771  Revised Final ML19281D672	Comment 09/18/2017 ML17234A351  Comment 8/31/2018 ML18238A770  No Comments 10/17/2019 ML19281D553	
1995-3	Low-Level Waste Shipment Manifest Information and Reporting Parts 20 and 61 60 FR 15649; 60 FR 25983	03/01/1998	Final ML023450397	No Comments 01/23/2003 ML030240463	
1995-4	Performance Requirements for Radiography Equipment Part 34 60 FR 28323 <b>(Superseded by 1997-5)</b>	06/30/1998	Final ML023450397	No Comments 01/23/2003 ML030240463	Oregon has adopted Final Regulations equivalent to RATS ID: 1997-5.
1995-5	Radiation Protection Requirements: Amended Definitions and Criteria Parts 19 and 20 60 FR 36038	08/14/1998	Final ML071870477	No Comments 09/04/2007 ML072470108	
1995-6	Clarification of Decommissioning Funding Requirements Parts 30, 40 and 70 60 FR 38235	11/24/1998	Final ML063110122	No Comments 12/21/2006 ML070030381	

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1995-7	Medical Administration of Radiation and Radioactive Materials Parts 20 and 35 60 FR 48623 <b>(Superceded by 2002-2 and 2005-2)</b>	10/20/1998	Final ML063110122	No Comments 12/21/2006 ML070030381	Oregon has adopted Final Regulations equivalent to RATS IDs: 2002-2 and 2005-2.
1996-1	Compatibility with the International Atomic Energy Agency Part 71 60 FR 50248; 61 FR 28724 <b>(Superceded by 2004-1)</b>	04/01/1999	Final ML071870477	No Comments 09/04/2007 ML072470108	Oregon has not yet adopted Final Regulations equivalent to RATS ID: 2004-1.
1996-2	One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses Parts 30, 40 and 70 61 FR 1109	02/15/1999	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility.
1996-3	Termination or Transfer of Licensed Activities: Record Keeping Requirements Parts 20, 30, 40, 61 and 70 61 FR 24669	06/17/1999	Final ML023450397	No Comments 01/23/2003 ML030240463	
1997-1	Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act Part 20 61 FR 65120	01/9/2000	Final ML071870477	No Comments 09/04/2007 ML072470108	
1997-2	Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State Part 150 62 FR 1662	02/27/2000	Final ML023450397	No Comments 01/23/2003 ML030240463	

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1997-3	Criteria for the Release of Individuals Administered Radioactive Material Parts 20 and 35 62 FR 4120	05/29/2000	Final ML023450397	No Comments 01/23/2003 ML030240463	
1997-4	Fissile Material Shipments and Exemptions Part 71 62 FR 5907 <b>(Superseded by 2004-1)</b>	02/10/2000	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility. (See STP-97-078)
1997-5	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations Parts 30, 34, 71 and 150 62 FR 28947	06/27/2000	Final ML073390164	No Comments 12/20/2007 ML073540058	
1997-6	Radiological Criteria for License Termination Parts 20, 30, 40 and 70 62 FR 39057	08/20/2000	Final ML023450397	No Comments 01/23/2003 ML030240463	
1997-7	Exempt Distribution of a Radioactive Drug Containing One Microcurie of Carbon-14 Urea Part 30 62 FR 63634	01/02/2001	Final ML063110122	No Comments 12/21/2006 ML070030381	
1998-1	Deliberate Misconduct by Unlicensed Persons Parts 30, 40, 61, 70, 71 and 150 63 FR 1890; 63 FR 13773	02/12/2001	Final ML023450397	No Comments 01/23/2003 ML030240463	
1998-2	Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees Parts 30, 40 and 70 63 FR 29535	07/01/2001	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility.



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1998-3	License Term for Medical Use Licenses Part 35 63 FR 31604 <b>(Superceded by 2002-2)</b>	07/10/2001	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility. (See STP-98-074)  Oregon has adopted Final Regulations equivalent to RATS ID: 2002-2.
1998-4	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations Part 34 63 FR 37059	07/09/2001	Final ML023450397	No Comments 01/23/2003 ML030240463	
1998-5	Minor Corrections, Clarifying Changes, and a Minor Policy Change Parts 20, 32, 35, 36 and 39 63 FR 39477; 63 FR 45393	10/26/2001	Final ML073390164	No Comments 12/20/2007 ML073540058	
1998-6	Transfer for Disposal and Manifests: Minor Technical Conforming Amendment Part 20 63 FR 50127	11/20/2001	Final ML063110122	No Comments 12/21/2006 ML070030381	
1999-1	Radiological Criteria for License Termination of Uranium Recovery Facilities Part 40 64 FR 17506	06/11/2002	Not Applicable	Not Applicable	Oregon does not have authority to regulate this material under its Agreement.
1999-2	Requirements for Those Who Possess Certain Industrial Devices Containing Byproduct Material to Provide Requested Information Part 31 64 FR 42269	10/04/2002	Not Required	Not Required	These regulation changes are not required to be adopted for purposes of Compatibility.

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1999-3	Respiratory Protection and Controls to Restrict Internal Exposure Part 20 64 FR 54543; 64 FR 55524	02/02/2003	Final ML102780374	No Comments 10/20/2010 ML102780421	
2000-1	Energy Compensation Sources for Well Logging and Other Regulatory Clarifications Part 39 65 FR 20337	05/17/2003	Final ML071870477	No Comments 09/04/2007 ML072470108	
2000-2	New Dosimetry Technology Parts 34, 36 and 39 65 FR 63750	01/08/2004	Final ML063110122	No Comments 12/21/2006 ML070030381	
2001-1	Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material Parts 30, 31 and 32 65 FR 79162	02/16/2004	Final ML14184B057	No Comments 07/30/2014 ML14183B696	
2002-1	Revision of the Skin Dose Limit Part 20 67 FR 16298	04/05/2005	Final ML063110122	No Comments 12/21/2006 ML070030381	
2002-2	Medical Use of Byproduct Material Parts 20, 32 and 35 67 FR 20249	10/24/2005	Final ML063110122	No Comments 12/21/2006 ML070030381	
2003-1	Financial Assurance for Materials Licensees Parts 30, 40 and 70 68 FR 57327	12/03/2006	Final ML063110122	No Comments 12/21/2006 ML070030381	

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2004-1	Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments Part 71 69 FR 3697	10/01/2007	Final ML13042A212	No Comments 03/12/2013 ML13052A447	
2005-1	Security Requirements for Portable Gauges Containing Byproduct Material Part 30 70 FR 2001	07/11/2008	Final ML063110122	No Comments 12/21/2006 ML070030381	
2005-2	Medical Use of Byproduct Material - Recognition of Specialty Boards Part 35 70 FR 16336; 71 FR 1926	04/29/2008	Final ML063110122	No Comments 12/21/2006 ML070030381	
2005-3	Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090) 70 FR 72128	12/01/2005	License Condition ML052870028	No Comments 10/18/2005 ML052930002	
2006-1	Minor Amendments Parts 20, 30, 32, 35, 40 and 70 71 FR 15005	03/27/2009	Final ML100600750	No Comments 04/15/2010 ML100850065	
2006-2	National Source Tracking System - Serialization Requirements Part 32 with reference to Part 20 Appendix E 71 FR 65685	02/06/2007	R <sup>2</sup> ML083570002	No Comments 01/13/2009 ML083570028	

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2006-3	National Source Tracking System Part 20 71 FR 65685, 72 FR 59162	01/31/2009	R <sup>2</sup> ML083570002  License Condition ML083660132	No Comments 01/13/2009 ML083570028  No Comments 01/22/2009 ML090120206	
2007-1	Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35 72 FR 45147, 54207	10/29/2010	Final ML14266A010	No Comments 10/08/2014 ML14258B144	
2007-2	Exemptions From Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements Parts 30, 31, 32 and 150 72 FR 58473	12/17/2010	Final ML100600750	No Comments 04/15/2010 ML100850065	
2007-3	Requirements for Expanded Definition of Byproduct Material Parts 20, 30, 31, 32, 33, 35, 61 and 150 72 FR 55864	11/30/2010	Final ML112920054	No Comments 12/14/2011 ML113111389	
2007-4	Order Imposing Fingerprinting Requirements and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material NRC Order EA-07-305 72 FR 70901	06/05/2008	License Condition ML080790556	No Comments 03/27/2008 ML080870332	
2008-1	Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent Parts 19 and 20 72 FR 68043	02/15/2011	Final ML112920056	No Comments 12/14/2011 ML113111389	

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2009-1	Medical Use of Byproduct Material – Authorized User Clarification Part 35 74 FR 33901	09/28/2012	Final ML14266A010	No Comments 10/08/2014 ML14258B144	
2011-1	Decommissioning Planning Parts 20, 30, 40 and 70 76 FR 35512	12/17/2015	Proposed ML14226A139  Final ML17234A352  Revised Final ML19288A247  Revised Final ML20303A084	Comments 10/17/2014 ML14225A662  Comments 09/18/2017 ML17234A351  Comment 10/31/2019 ML19288A239  No Comments 11/23/2020 ML20303A045	
2011-2	Licenses, Certifications, and Approvals for Materials Licensees Parts 30, 36, 39, 40, 70 and 150 76 FR 56951	11/14/2014	Proposed ML14191A222  Final ML15057A528	No Comments 08/13/2014 ML14189A008  No Comments 03/23/2015 ML15057A516	
2012-1	Change of Compatibility Parts 31.5 and 31.6 (See RATS ID: 2001-1 for Rule text) 77 FR 3640	01/25/2015	Final ML14184B057	No Comments 07/30/2014 ML14183B696	

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2012-2	Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste Part 71 77 FR 34194	08/10/2015	Proposed ML13364A278  Final ML15057A528  Revised Final ML15313A285	No Comments 03/07/2014 ML13364A270  Comments 03/23/2015 ML15057A516  No Comments 12/21/2015 ML15313A282	
2012-3	Technical Corrections Parts 30, 34, 40 and 71 77 FR 39899	08/06/2015	Proposed ML15092A201  Final ML15313A285	No Comments 04/13/2015 ML15092A196  No Comments 12/21/2015 ML15313A282	
2012-4	Requirements for Distribution of Byproduct Material Parts 30, 31, 32, 40 and 70 77 FR 43666	10/23/2015	Proposed ML15148A492  Final ML15313A285	No Comments 06/16/2015 ML15148A491  No Comments 12/21/2015 ML15313A282	

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2013-1	Physical Protection of Byproduct Material, Parts 20, 30, 32, 33, 34, 35, 36, 37, 39 and 71 78 FR 16922	03/19/2016	Proposed ML15121A861  Final ML15313A358  Revised Final ML16292A627  Revised Final ML17073A124	No Comments 05/20/2015 ML15121A853  Comments 12/10/2015 ML15313A356  Comments 11/18/2016 ML16292A625  No Comment 05/01/2017 ML17073A122	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2013-2	Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions, Parts 30, 40 and 70 78 FR 32310	08/27/2016	Proposed ML15168A139  Final ML15313A358  Revised Final ML16292A627  Revised Final ML17073A124  Revised Final ML18248A218	No Comments 07/06/2015 ML15168A114  Comments 12/10/2015 ML15313A356  Comments 11/18/2016 ML16292A625  Comments 05/01/2017 ML17073A122  No Comments 09/26/2018 ML18248A090	
2015-1	Domestic Licensing of Special Nuclear Material – Written Reports and Clarifying Amendments Part 70 79 FR 57721, 80 FR 143	01/26/2018	Proposed ML17090A222  Final ML17325B520	No Comments 05/04/2017 ML17090A221  No Comments 12/20/2017 ML17325B478	



RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2015-2	Safeguards Information - Modified Handling Categorization, Change for Materials Facilities Parts 30, 37, 73 and 150 79 FR 58664, 80 FR 3865	01/28/2018	Proposed ML17090A222  Final ML17325B520  Revised Final ML18239A373	Comments 05/04/2017 ML17090A221  Comment 12/20/2017 ML17325B478  No Comments 8/31/2018 ML18239367	
2015-3	Revisions to Transportation Safety Requirements and Harmonization with International Atomic Energy Agency Transportation Requirements Part 71 80 FR 33987	07/13/2018 *extended to 08/15/2020 See STC 17-060	Proposed ML17090A222  Final ML17325B520  Revised Final ML18239A373  Revised Final ML19281D672	Comments 05/04/2017 ML17090A221  Comments 12/20/2017 ML17325B478  No Comments 8/31/2018 ML18239367  No Comments 10/19/2019 ML19281D553	

RATS ID	NRC Chronology Identification	Date Due for State Adoption	Incoming Letter	Outgoing Package	Notes
2015-4	Miscellaneous Corrections, Parts 37 and 40 80 FR 45841	09/02/2018	Proposed ML17090A222  Final ML17325B520	No Comments 05/04/2017 ML17090A221  No Comments 12/20/2017 ML17325B478	
2015-5	Miscellaneous Corrections, Parts 19, 20, 30, 32, 37, 40, 61, 70, 71 and 150 80 FR 74974	12/31/2018	Proposed ML19015A260  Final ML19281D672	No Comments 01/28/2019 ML19015A256  No Comments 10/17/2019 ML19281D553	
2018-1	Medical Use of Byproduct Material – Medical Event Definitions, Training and Experience, and Clarifying Amendments, Parts 30, 32 and 35	01/14/2022	Proposed ML20321A165  Final ML21335A279  Revised Final ML22	Comments 12/15/2020 ML20321A049  Comments 12/20/2021 ML21335A274  No Comments 09/22/2022 ML22253A312	

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2018-2	Miscellaneous Corrections - Organizational Changes Parts 37, 40, 70 and 71	12/21/2021	Proposed ML20321A165  Final ML21335A279	No Comments 12/15/2020 ML20321A049  No Comments 12/20/2021 ML21335A274	
*2018-3	Miscellaneous Corrections Parts 1, 2, 34, 37, 50, 71, 73, and 140	07/30/2022	Proposed ML22208A252  Final ML23037A927	Comment 08/05/2022 ML22208A250  No Comments 02/23/2023 ML23034A095	
*2019-1	Miscellaneous Corrections Parts 2, 21, 37, 50, 52, 73, and 110	12/18/2022	Proposed ML22208A252  Final ML23037A927	No Comments 08/05/2022 ML22208A250  No Comments 02/23/2023 ML23034A095	
*2019-2	Organizational Changes and Conforming Amendments Parts 1, 2, 37, 40, 50, 51, 52, 55, 71, 72, 73, 74, 100, 140, and 150	12/30/2022	Proposed ML22208A252  Final ML23037A927	No Comments 08/05/2022 ML22208A250  No Comments 02/23/2023 ML23034A095	

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*2020-1	Individual Monitoring Devices 10 CFR Parts 34, 36, and 39	06/16/2023	Proposed ML22208A252  Final ML23037A927	No Comments 08/05/2022 ML22208A250  No Comments 02/23/2023 ML23034A095	
*2020-2	Social Security Number Fraud Prevention 10 CFR Parts 9 and 35	08/17/2023	Proposed ML22208A252  Final ML23037A927	No Comments 08/05/2022 ML22208A250  No Comments 02/23/2023 ML23034A095	
*2020-3	Miscellaneous Corrections 10 CFR Parts 1, 2, 19, 20, 21, 30, 34, 35, 40, 50, 51, 52, 60, 61, 62, 63, 70, 71, 72, 73, 74, 75, 76, 110, and 140	11/16/2023	Proposed ML22208A252  Final ML23037A927	Comment 08/05/2022 ML22208A250  No Comments 02/23/2023 ML23034A095	
2021-1	Miscellaneous Corrections 10 CFR Parts 2, 11, 20, 25, 32, 35, 37, 50, 52,55, 70, 72, 73, 95, and 110	09/08/2024			
2021-2	Miscellaneous Corrections 10 CFR Parts 9, 37, 40, 50, 51, 52, 55, 71, 73, and 110	12/30/2024			
2022-1	Miscellaneous Corrections 10 CFR 1, 2, 20, 30, 40, 50, 55, 70, 73, and 170	none			Provisions are not required for compatibility.

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2022-2	Miscellaneous Corrections 10 CFR Parts 20, 35, 50, 51, 52, 72, 73, 110, and 150	none			Provisions are not required for compatibility.